

PLANNING AND TRANSPORTATION COMMITTEE

Monday, 18 March 2019

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.00 am

Present

Members:

Christopher Hayward (Chairman)	Alderman Gregory Jones QC
Deputy Alastair Moss (Deputy Chairman)	Shravan Joshi
Rehana Ameer	Alderman Nicholas Lyons
Randall Anderson	Andrew Mayer
Peter Bennett	Deputy Brian Mooney
Mark Bostock	Sylvia Moys
Deputy Keith Bottomley	Graham Packham
Peter Dunphy	Susan Pearson
Stuart Fraser	Judith Pleasance
Marianne Fredericks	Deputy Henry Pollard
Alderman Prem Goyal OBE JP	James de Sausmarez
Graeme Harrower	Oliver Sells QC
Christopher Hill	William Upton
Deputy Jamie Ingham Clark	Alderman Sir David Wootton

Officers:

Alison Bunn	- City Surveyor's Department
David Horkan	- Department of the Built Environment
Deborah Cluett	- Comptrollers & City Solicitor
Carolyn Dwyer	- Director of Built Environment
Paul Beckett	- Department of the Built Environment
Paul Monaghan	- Department of the Built Environment
Catherine Linford	- Department of the Built Environment
Gordon Roy	- District Surveyor
Natalie Evans	- Chamberlain's Department
Rory McMullan	- Department of the Built Environment
Julie Smith	- Chamberlain's Department
Robin Whitehouse	- Markets and Consumer Protection
Kieran Mackay	- Department of the Built Environment
Matt Ball	- Department of the Built Environment
Neel Devlia	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment

1. **APOLOGIES**

Apologies for absence were received from Munsur Ali, Henry Colthurst, Alderman Gregory Jones, Natasha Maria Cabrera Lloyd-Owen, Oliver Lodge and Barbara Newman.

The Town Clerk then advised the Committee that since the publication of the agenda, Sir Mark Boleat had resigned his position on the Court of Common Council and consequently the Committee. The Chairman then paid tribute to Sir Mark Boleat, who had provided a voice for sensible reason in his many years of excellent service to the Committee. The Committee gave thanks to Sir Mark Boleat for his role on the Committee during his time on the Court of Common Council.

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

Alderman Prem Goyal declared a personal interest in Items 6 and 7 by virtue of holding a tenancy in Farringdon Within.

3. **MINUTES**

The Deputy Chairman clarified a point relating to item 6, on page 5, wherein references to officers was specifically TfL officers rather than City of London Corporation officers, as TfL, as the lead authority, would sign off on action taken.

The Interim Director of Markets and Consumer Protection clarified a point relating to item 14, on page 16. The minutes stated that "at present only flight arrivals to Heathrow passed over the city. This would remain the case with the introduction of a third runway." However, the Interim Director of Markets and Consumer Protection clarified that this was not correct. There were 8 scenarios for future departures from Heathrow covering different geographical areas around Heathrow, some of which would overfly the City of London with between 0-17 air craft per hour. Concerns relating to this had been raised in the City of London response to the consultation.

RESOLVED – That, pending the above corrections, the public and non-public summary of the meeting held on 19 February 2019 be agreed as a correct record.

Matters Arising

The Committee sought further clarification on the expansion of Heathrow Airport. A Member said that incoming flights to Heathrow were often visible from London Bridge, and asked whether this was likely to be exacerbated. The Interim Director of Markets and Consumer Protection responded that there were several routes for arrivals into Heathrow, but as the airport expanded it could be assumed that there would be more flight arrivals over the City of London.

A Member thanked officers for the advice, and added that they felt the consultation had been inadequate. The Committee should be active in

monitoring developments, as the expansion would be an ongoing issue with an important impact on transportation. The Chairman added he and other Members periodically met with representatives of London airports, and that the City of London Corporation should be vigilant on the expansion of Heathrow, and should be consulted and kept informed on the matter.

The Committee noted that there were also issues of noise nuisance to be mindful of, but that the City of London Airport had a more direct impact in this regard. The Committee was also advised of a public consultation on the expansion of Heathrow due in June 2019, and noted that the expansion remained subject to litigation.

4. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing outstanding actions since their last meeting.

Updates were provided as follows:

Ludgate Circus

The Director of the Built Environment advised the Committee that the issue was still being raised at the highest level, and that further meetings with TfL had taken place since the last meeting of the Committee. TfL were taking the issue seriously and currently undertaking an options appraisal, which they would report to the City of London Corporation on by 2 May 2019. Officers would then report to the Committee at its meeting on 24 May 2019.

The Chairman added that the matter was of critical importance and remained one of the highest political priorities for the City of London Corporation. Whilst TfL understood and shared the City of London Corporation's concerns, it was important to keep TfL focussed on the issue. Members wanted to hear firm details about actions and timescales by May and would continue to communicate a clear message on the matter. There was a significant ongoing risk of fatality if action was not taken.

Daylight/Sunlight Training

A Member argued that the Committee should separate out the desire for Member training and the desire for alternative guidelines on daylight/sunlight, and requested that a report be brought to Committee setting out how the City of London Corporation would go about creating alternative guidelines, including timescales, and the legal implications. The Chairman added that this would require decisions to be made at Committee and agreed that the issues should be separated.

A Member added that whilst the training might not take place until the new municipal year, it could still be organised now. Members suggested arranging two dates in May 2019, so that as many Members as possible could attend.

Illegal Street Traders on the City's Bridges

The Director of Markets and Consumer Protection advised the Committee that a substantive report on the subject would be brought to the July meeting of the

Committee. Officers continued to enforce in areas under the jurisdiction of the City of London Corporation, but were still awaiting the ratification of the Section 101 agreement with Tower Hamlets. However, officers understood that would be finalised by the end of the week.

Members expressed their increasing disappointment at the speed at which the matter was being addressed and suggested that a letter be sent from the Chairmen of Planning & Transportation Committee and Port Health & Environmental Services Committee urging Tower Hamlets to complete the process as soon as possible. A Member added that the issue created a number of safety and security concerns, and that they were surprised Tower Hamlets had not acted more quickly. It would be important to complete the process before Easter when a large number of tourists would visit the area.

Fumes

The Committee noted that a report would be brought to Committee in April 2019.

RESOLVED – That the list of outstanding actions be noted, and updated accordingly ahead of the next meeting of the Committee.

5. **DECISIONS TAKEN UNDER DELEGATED AUTHORITY OR URGENCY SINCE THE LAST MEETING OF THE COMMITTEE**

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk since the last meeting of the Committee, in consultation with the Chairman and Deputy Chairman, in accordance with Standing Order Nos. 41(a) and 41(b). The action related to the Thames Court footbridge.

In response to a query from a Member, the District Surveyor advised the Committee that works had been scheduled in April and May, and it was anticipated that the footbridge would be reopened by the end of May 2019.

RESOLVED – That the report be noted.

6. **DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**

The Committee received a report of the Chief Planning Officer and Development Director detailing development and advertisements applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since the report to the last meeting.

RESOLVED – That the report be noted.

7. **VALID PLANNING APPLICATIONS RECEIVED BY THE DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received a report of the Chief Planning Officer and Development Director detailing development applications received by the Department of the Built Environment since the report to the last meeting.

With regards to the application relating to the installation of antennae at the Barbican Centre, a Member advised that they understood there had been a number of objections, and asked whether the application would be brought to the Committee. The Director of the Built Environment confirmed that applications had to be brought to Committee if a certain number of objections were submitted, and that officers would check whether the application had reached this threshold.

Members noted that the report listed the addresses of applications but not the applicant. It was felt that this would be helpful for Members and more transparent, as the information was not privileged. The Director of the Built Environment responded that this could be added to the report going forward.

RESOLVED – That the report going forward.

8. PUBLIC LIFT REPORT

The Committee received a report of the City Surveyor containing details of the three public escalators/lifts that were in service for less than 95% of the time. The City Surveyor advised the Committee that all of the lifts were currently in service, apart from Speed House. The Committee noted that the percentage of time in service for Speed House should read 0% rather than 100%.

RESOLVED – That the report be noted.

9. MILLENNIUM INCLINATOR UPDATE REPORT

The Committee received a report of the City Surveyor setting out the work undertaken to the Millennium Inclinor since the Committee agreed that it should be maintained to a higher standard than the other public lifts. The City Surveyor advised that the Inclinor was still out of service at times, but it was felt the new approach was working. The Inclinor had been out of service for a total of 181 hours since the repair work completed in April 2018, which was down on previous years. Officers tried to ensure that any closures undertaken were done as quickly and conveniently as possible.

A Member told the Committee that they would not necessarily agree that the new approach was working, adding that the Inclinor had been out of service over the weekend. The Member requested that officers calculate the total cost of maintaining the Inclinor since the City of London Corporation had inherited the Millennium Bridge, and report this to the Committee. The Committee could then be aware of the investment being made and consider whether this was the right approach and if the Inclinor was fit for purpose. A Member added that they had recently been significantly inconvenienced by an outage to the Inclinor, which had highlighted a lack of accessibility in the area which was not good for the City of London Corporation's image.

A Member asked that officers report the failure rate and level of traffic for the Inclinor in comparison to other escalators and lifts in the City of London, and asked whether it was possible that the City Surveyor's department were not aware of all breakdowns. The City Surveyor responded that a lift was only

included in the report if it had been in service for less than 95% of the time, but the Inclinator could be excluded from this with all breakdowns reported.

Members felt that it would be prudent to start forward planning for the long-term and investigating a total replacement, and that it was misleading if breakdowns for short periods were not reported. The Chairman added that a fully-functional long-term solution was needed, and asked that all breakdowns for the Millennium Inclinator were reported going forward.

RESOLVED – That the report be noted.

10. **SEAL HOUSE**

The Committee considered a report of the Chief Planning Officer and Development Director seeking approval for demolition of the existing building and construction of a basement, ground plus 11 storey building for office use (Class B1) (16,084sq.m GIA), retail use (Class A1/A3) at ground (314sq.m GIA), restaurant use (Class A3) at 11th floor level (708sq.m GIA), a publicly accessible terrace at 12th floor roof level (744sq.m) and public realm improvement works together with ancillary parking, servicing and plant and all necessary enabling works.

The Director of the Built Environment drew the Committee's attention to the tabled addendum sheet, which advised of an amendment to the recommendation in respect of City Walkway, corrections to the report, amended and additional conditions and an additional informative. The Director of the Built Environment then introduced the application to Members and produced the officer's report, informing the Committee about the details of the scheme and its wider implications. The officer's recommendation was that planning permission be granted.

In the absence of any speakers, Members then debated the application. A Member commented that this space was exceptional and would be popular. The view from the Monument would be obscured, but the benefits of the scheme outweighed any harm. The scheme would also provide an alternative viewing point to the Monument, which was not accessible and was not free of charge.

A Member asked for further details from officers on freight consolidation. A Member asked for assurances that public access to the roof garden would be maintained, and asked if protections against later closing the roof garden could be written into the planning permission.

A Member said that they felt the application was well-considered and would provide extra commercial spaces at a part of the riverfront which would benefit from it. The Member asked whether queue management for the roof garden had been taken into consideration, as other roof gardens had proved popular enough to have long queues at street level. Members asked for clarification on whether or not the scheme complied with the London Plan, as there were conflicting statements within the report, and whether there were any outstanding archaeological implications. A Member questioned the opening

hours of the roof garden, suggesting that they were limiting and could be extended to close at a later time. The Member also asked whether the scheme could include public toilet provision, which would be beneficial for the area.

The Director of the Built Environment responded to some of the points raised by Members, and advised the Committee that freight consolidation, public access to the roof garden, and measures to manage queues would all be secured as part of the Section 106 agreement. The Committee was advised of an error in the letter from the GLA provided in the report, and the Director confirmed that the matter would be referred to the Mayor of London if approved. The issues relevant to policy considerations were set out in paragraph 43 of the report. The Director of the Built Environment advised the Committee that the roof garden would be open until dusk or 7pm, whichever was later, meaning that the roof garden would be open later during the summer. There would also be two public toilets available at roof level. There were conditions attached to the permission which addressed archaeological concerns.

Members then discussed the opening hours of the roof garden. Some Members wanted it to be open later, to utilise the space. The space would be popular at night, particularly with the upcoming Illuminated River installation. There was a need to provide more public toilets and amenities, and this was an opportunity. A Member suggested that the roof garden should be open as late as the restaurant within the scheme. However, other Members felt that the current provision was adequate, and that management of the roof garden could become burdensome if it was open too late. A Member stressed that the roof garden was not public realm, but a publicly accessible roof garden, and suggested that negotiation of the opening hours be left with officers.

The Director of the Built Environment responded that officers had discussed the opening times with the applicants, and reiterated that under the current plans, the garden would close at dusk or 7pm, whichever was later, meaning that the garden would likely close at 7pm during the winter, and later during the summer. The roof garden would be available for private hire after these times. Officers considered the proposed arrangement to be reasonable but could discuss it further.

A Member asked for further clarification on the availability for private hire, as it was advertised as a publicly accessible roof garden. The City of London Corporation was encouraging roof gardens because of a lack of ground floor public space. The report should have been clearer on the availability of the roof garden, and should be open to the public longer in winter and summer. The Member suggested 9pm, particularly at the weekend.

A Member suggested that the opening times could be left as proposed that the details would be secured within the S106 agreement which could allow them to be reviewed at a later date. A Member urged caution in pushing applicants on matters of this type, in case it discouraged applicants in future. The roof garden would be available during the evening under the current proposals. The Chairman added that he felt the development to be much improved and a great

opportunity, and would support encouraging officers to undergo further discussions on the opening hours rather than trying to force the issue.

In response to a query from a Member, the Comptroller and City Solicitor advised that dusk was a fairly standard word used in legal agreements, but that a more specific provision could be agreed as part of the S106 agreement. The Director of the Built Environment added that finer details could still be negotiated, adding that the applicants were in attendance and had taken note of the Committee's views. A Member suggested that sunset was also commonly used in legal agreements, and could be used instead as it came at a fixed time on each day.

Arising from the discussion, Members then proceeded to move to a vote on the recommendations as set out in the report and amended on the tabled addendum sheet, with 25 Members voting for the amended recommendations, 0 Members voting against the amended recommendations and 1 abstention. One Member had been ineligible to vote as they had not been present for the duration of the item.

RESOLVED – That:

(a) The application be referred to the Mayor of London to decide whether to allow the Corporation to grant planning permission as recommended, or to direct refusal, or to determine the application himself (Article 5(1)(a) of the Town & Country Planning (Mayor of London) Order 2008);

(b) Planning permission be **GRANTED** for the above proposal in accordance with the details set out in the attached schedule, the planning obligations and other agreements being entered into in respect of those matters set out in the report, the decision notice not to be issued until such obligations have been executed;

(c) That your officers be instructed to negotiate and execute obligations in respect of those matters set out in the report under Section 106 and any necessary agreements under Section 278 of the Highway Act 1980.

11. **DOCKLESS CYCLE HIRE**

The Committee considered a report of the Director of the Built Environment proposing a trial of a new approach to managing dockless cycle hire, which would allow operators which meet the selection criteria, including requiring customers to leave bikes in designated areas, to deploy a fixed number of bikes within the Square Mile. The Chairman proposed two amendments to the recommendations, that the approval of criteria for participation in the trial and selection of operators be delegated to the Chief Officer in conjunction with the Chairman and Deputy Chairman of the relevant Committees, and to make it explicit that only chosen operators would be allowed to deploy bikes within the Square Mile under suspension of the current dockless bikes policy. The Director of the Built Environment then introduced the report and drew the Committee's attention to the key points within the proposals.

A Member told the Committee that they supported the proposals, which were sensible preparation for the future, as dockless bikes were becoming more common and were popular with the public. A Member added that they felt the pilot was a good idea, but was concerned about suspending the current policy for operators not chosen for the trial, and queried whether the current policy could continue with exceptions granted to operators in the pilot scheme.

A Member said that it was key that the trial was supported with adequate monitoring and enforcement mechanisms, and asked how this would be accomplished. There was also some concern about the size of the proposed parking bays. A Member asked what the policy would be on moving the bikes during the day, and whether direction to the nearest available parking spaces could be made available, in case there was no space in a bay. It was felt that this should be a key part of the criteria, along with measures for safety and against theft and vandalism.

A Member suggested that the trial be for a minimum of 6 months to give more flexibility, with the aim of developing a well-run service with strong environmental credentials and a clear identity as a City of London scheme. The Museum of London situation had improved in recent weeks. A Member added that they hoped the trial was only the beginning of a sea change which would help to address the aggressive cycling culture that existed within the City of London and redress the balance between pedestrians and cyclists. Members reiterated the need for careful monitoring of the scheme and also that the criteria for success should be clearly set, with a clear sense of what was to be achieved. This would help to inform the Committee's decision-making later on.

The Director of the Built Environment responded that the recommendations could be changed to retain the current policy for non-trial operators. Monitoring would be undertaken by Street Environment Officers who were already reporting bikes to operators under the current policy. Data would also be collected from the operators as part of the scheme, who would also be expected to explain how they planned to manage demand. Key criteria for success would be developed and set before the start of the trial period.

RESOLVED – That the Planning & Transportation Committee:

- a) Approve a six-month trial, with one or more operators, to test the proposed approach to managing dockless cycle hire;
- b) Agree that the approval of the criteria for participation in the trial and the selection of operators be delegated to the Director of the Built Environment, in conjunction with the Chairmen and Deputy Chairmen of the Planning & Transportation Committee and the Streets & Walkways Sub Committee;
- c) Retain the current dockless cycle hire policy, but allow exceptions for chosen operators to deploy bikes within the Square Mile during the trial; and

- d) Agree to increase the charge for the recovery of dockless cycle hire bikes removed by the City Corporation from £82.58 to a maximum £235.

12. **STATEMENTS OF COMMON GROUND**

The Committee considered a report of the Director of the Built Environment providing a brief overview of the likely scope and content of newly-required Statements of Common Ground (SCGs) and seeks the Committee's approval to delegate the preparation and review of SCGs to the Planning Policy and Performance Director, in consultation with the Chairman and Deputy Chairman of your Committee, except in certain specified circumstances.

The Director of the Built Environment introduced the report and drew out the key points for Members. Whilst the initiative was not directly relevant to the City of London in some aspects, it would be applied as part of the processes relating to the Local Plan. It was proposed that existing delegated powers should also apply, and the initiative be progressed by officers with Member oversight.

Members suggested that the Committee be given high-level visibility, and asked that Members be made aware of access to the SCGs and relevant information on them once prepared. The Director of the Built Environment responded that officers would report back at critical stages during the process.

RESOLVED – That the Planning & Transportation Committee:

- a) Authorise the Planning Policy and Performance Director to prepare and review Statements of Common Ground under the duty to cooperate, in consultation with the Chairman and Deputy Chairman of the Planning and Transportation Committee; and
- b) Agree that Statements of Common Ground would only be brought to the Planning and Transportation Committee for approval if a significant new cross-boundary strategic issue arises or if there is a fundamental disagreement between the City Corporation and other SCG signatories.

13. **PUBLICATION OF THE GOVERNMENT'S HOUSING DELIVERY TEST RESULTS FOR THE CITY OF LONDON**

The Committee received a report of the Director of the Built Environment detailing the central government's Housing Delivery Test results, issued on 19th February 2019. The results showed that the 110 total housing units delivered in the City in the three years 2015/16-2017/18 is below the Government's requirement of 262 housing units.

The Director of the Built Environment advised that this was a new test set retrospectively, and therefore the City of London Corporation could not have been aware that they did not meet requirements. However, an action plan to meet the requirements would now be produced. Officers had felt the methodology to be flawed and had responded as such to the central government's previous consultation. Housing Delivery was set over a fifteen-

year timeframe and whilst the City of London Corporation may not meet individual 3-year timeframes, results overall would improve going forward.

RESOLVED – That the Planning & Transportation Committee:

- a) Note the Government's publication of its Housing Delivery Test results;
- b) Note that housing delivery in the City in the past three years has been below Government requirement and that consequently the City Corporation will be required to produce an Action Plan;
- c) Note that the City Corporation expects that housing delivery in the City will be above the Government requirement for the next few years; and
- d) Note that the City Corporation responded to an earlier consultation on the Test method stating that it is a flawed short-term view, and that the City Corporation will continue to engage with the Government to ensure that the Test is applied appropriately, taking full account of local circumstances including the primary role of the City as a business centre, and the commitment to housing delivery over a longer timeframe and a wider area.

14. **THE TRANSITION TOWARDS A ZERO-EMISSION FLEET**

The Committee received a joint report of the Director of the Built Environment and the Chamberlain setting out an ambitious yet practical policy, which requires departments to opt for the cleanest possible vehicle or other solution, in line with operational need, technology availability and best value. It proposes this policy be implemented consistently and rigorously through enhanced governance by the Transport Coordination Group (TCG).

The Chamberlain introduced the report and drew Members' attention to the key points. The Committee was advised that the recommendations had been endorsed by the Policy & Resources Committee at its meeting on 21 February 2019, and consequently a funding report would be submitted to the Finance Committee. There were 34 Corporate or VIP/Mayoral vehicles that were non-compliant with ULEZ (Ultra-Low Emission Zone) rules, and these would be replaced or retrofitted as part of the transition.

A Member queried why Liquid Petroleum Gas (LPG) was not an option in the hierarchy of desirability, as it was widely recognised elsewhere and had shown to be less polluting than petrol. LPG could fit in as at least the third option, and also did not have the same issue of electric vehicles such as infrastructure.

A Member added that this was a small step, and that the City of London Corporation should start to focus more on tackling polluting vehicles in the Square Mile as a whole. As this would be a long process, the sooner it started the better. A Member added that deliveries would need to be ringfenced as the City of London would still require servicing, and deliveries often came from further afield. The Chairman referred Members to the Transport Strategy which would pick up issues such as these.

A Member added that the proposals were in tune with the Transport Strategy, but stressed that the costs of decommissioning electric vehicles needed to be taken into account when installing the infrastructure for electric vehicles. The Member also suggested considering leasing vehicles rather than purchasing them which provided more future-proofing. A Member responded that there was a risk in reliance on leasing as it could be expensive to buy out existing leases. However, it was important that the City of London Corporation devised appropriate exit routes for when technology became obsolete.

A Member stressed that the Transport Strategy was an opportunity to go beyond and that the City of London Corporation should still consider a City-specific scheme with a focus on the most residential areas.

The Chamberlain responded to a number of points raised by Members. The Department of the Built Environment had led on trials, and having selected the cleanest models available. LPG had not been considered a sufficiently suitable or viable option. The intention was to sell one of the historic Rolls Royces and electrify the remaining two. The current intention was to retain the current chassis, including the number plates. The 2019 ULEZ scheme had been brought forward from October 2020, and would cover the Central Charging Zone, which included the City of London.

As the perfect technology was not currently forthcoming, the proposal was to procure the best technology available currently, and once this had become redundant would be swapped for any new technology at that time. Every vehicle would be decided on a case-by-case basis with the challenge of securing value for money.

RESOLVED – That the Planning & Transportation Committee:

a) Note the new policy which requires departments to apply the following priority order to decision-making, when an existing vehicle is non-compliant with air quality regulations or comes to the operational end of life:

1. not replace the vehicle and cover operational requirements with other available vehicles
2. swap the vehicle with a low emission equivalent currently being used outside the ULEZ 2019 Central Charging Zone (Square Mile)
3. replace or retrofit the vehicle with the cleanest possible alternative that:
 - a) meets operational need
 - b) applies the following hierarchy:
 - i. Full electric
 - ii. Plug-in hybrid
 - iii. Petrol hybrid (regenerative braking)
 - iv. Petrol
 - v. (Euro 6/ VI) Diesel
 - c) utilises sufficiently reliable technology and
 - d) constitutes best value for money within the vehicle class.

At this point, the Chairman sought approval from Committee Members to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

15. CONSTRUCTION LEVY - CODE OF PRACTICE FOR DECONSTRUCTION AND CONSTRUCTION SITES NINTH EDITION 2019.

The Committee received a joint report of the Interim Director of Markets and Consumer Protection and the Chief Planning Officer and Development Director concerning the Construction Levy Code of Practice for Deconstruction and Constructions Sites. The Interim Director of Markets and Consumer Protection introduced the report and advised the Committee that developers were now triggering the scheme and therefore payment was being sought from developers and contractors. The report updated Members on progress implementing the Levy scheme which had been agreed in 2017.

A Member advised that they had concerns about adverse reputational impact as a result of applying the levy, and asked about what flexibility there was in applying the scheme and the penalties for non-compliance. The scheme could also cause conflict with the District Surveyor. The Member suggested that reports on the subject should include the views of users to get feedback on the user experience. A Member added that they still felt the scheme should have a separate category for some small projects, as a levy of £5,000 was particularly harsh in some cases.

The Interim Director of Markets and Consumer Protection responded to points raised by Members. The Code would apply a series of best practices and it was not expected to create conflicts with developers. Officers intended to work with developers to ensure they take the most environmentally-friendly options available. However, there was the option of serving notice for serious non-compliance. The request for user feedback in the annual reports had been noted by officers. There was a caveat relating to very small works within Appendix L of the Code of Practice. Much of the Code of Practice provided guidance for developers about liaising with the public, which was expected of developers and could alleviate issues such as weekend working.

RESOLVED – That the report be noted.

16. FINAL DEPARTMENTAL BUSINESS PLAN 2019/20 - DEPARTMENT OF THE BUILT ENVIRONMENT

The Committee considered a report of the Director of the Built Environment presenting the final high-level business plan for the Department of the Built Environment for 2019/20.

A Member commented that only financial targets were set out within the business plan, and asked that a note setting out non-financial targets at lower levels be prepared and circulated to Members.

RESOLVED – That the Planning & Transportation Committee approve the Department of the Built Environment's final high-level business plan for 2019/20.

17. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - QUARTERLY REPORT

The Committee received a report of the Director of the Built Environment providing the Committee with assurance that risk management procedures in place within the Department of the Built Environment are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

A Member queried why risk CR20 on Road Safety was considered an Amber risk and not a Red risk, as it had been considered a Red risk prior to the Bank on Safety scheme. There had been seven collisions at Ludgate Circus between 2013 and 2017, and there had been eight at Bank junction during the same period. The Chairman added that he agreed that Road Safety should be considered a Red risk.

A Member told the Committee that he felt the wording given for the impact of the risk on the risk register was inappropriate. Following a fatal accident in 2015 the City of London Corporation had been expected to take steps to address the risks, and failure to do so would have been a reputational risk. However, there were greater impacts away from reputation, and to describe the impact in this way was insensitive and self-interested. The wording of the risk was felt to be offensive and encouraged the wrong culture. The City of London Corporation would enhance its reputation by doing what was right. The Member advised the Committee that he had drafted a motion for the Committee to resolve to send to the Audit and Risk Management Committee on the matter.

A Member said that risks were assessed on a statistical basis and should not be assessed on the basis of emotion. The City of London Corporation should not accept responsibility for all accidents, as they could equally be caused by a driver or cyclist. Accidents would occasionally happen, and all the City of London Corporation could do was ensure that the highways were as safe as they could be. The Deputy Chairman suggested that the risk register could be presented more thematically as a policy, as this would be more cohesive and better strategically.

The Director of the Built Environment responded to points raised by Members. The wording of the risk related to Road Safety had been raised previously and had been considered at the Audit and Risk Management Committee who had done a deep dive on Road Safety, and compared it to other risks. Officers could review the presentation of risks, the way they were written and the level of risk for Road Safety.

The Member then proposed a motion, as follows, that:

This committee requests that the Audit & Risk Management Committee reviews the description of the Effects of risks not being mitigated for the Road Safety CR20 risk, and ensures that the description describes the true impacts, rather than ignoring these to merely focus on the reputational implications for the City. Furthermore; we request that all risks are reviewed to ensure that similar misjudgements are corrected.

The motion was seconded, and following a vote by Committee Members the motion was carried.

RESOLVED – That the report be noted, and that the Planning & Transportation Committee move that the above resolution be submitted to the Audit and Risk Management Committee.

18. **DEPARTMENT OF THE BUILT ENVIRONMENT: 'BREXIT' UPDATE**

The Committee received a short report of the Director of the Built Environment updating Members on the potential implications of Brexit for the Department of the Built Environment.

RESOLVED – That, Members note this initial report and that further update reports will be made to subsequent meetings of the Committee as appropriate.

19. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

A Member advised the Committee that the closure to Bank Junction had resulted in eastbound traffic increasingly using Lothbury and Bartholomew Lane, which was creating conflict with pedestrians. Whilst there was not necessarily an obvious solution, the Member asked that officers fully investigate the impact on eastbound traffic following the changes to Bank Junction. The Chairman suggested that the issue be added to the Committee's list of outstanding actions. The Deputy Chairman added that the City of London Corporation was alive to the impact of measures on safety, but that congestion should be a lower priority than pedestrian safety.

A Member asked officers to circulate updates on Crossrail and the Illuminated River project to all Committee Members, in case either were raised at the annual Wardmotes, most of which were taking place that week.

A Member raised the issue of Air Quality, which had been considered at Court of Common Council and a number of other Committees. The matter was something for the Committee to look at specifically and the Member suggested that either a report be brought to the Committee or that Air Quality be added to the Committee's list of outstanding actions. The Deputy Chairman added that Members had made it clear that the Committee wanted some form of oversight on the matter and saw Air Quality as an issue relevant to the Committee.

20. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

The Chairman advised the Committee that the next meeting on Tuesday 2 April 2019, was likely to have an item relating to The Tulip on the agenda. If this was the case, because the application would be complicated, the meeting would be likely to start at 10am and have one substantive item. Any other business due for that meeting would be deferred to the meeting on 30 April 2019.

In response to a comment by a Member, the Chairman added that it was the duty of the local planning authority to consider the application in the first

instance and make a decision, regardless of whether or not the application might subsequently be refused by other authorities involved.

21. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

Item No.	Paragraph(s)
22	
23 - 24	3

22. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 19 February 2019 be agreed as a correct record.

23. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

24. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was no other business.

The meeting closed at 12.32 pm

Chairman

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